

1 MELINDA HAAG (CABN 132612)  
2 United States Attorney  
3 MIRANDA KANE (CABN 150630)  
4 Criminal Chief, Criminal Division  
5 THOMAS A. COLTHURST (CABN 99493)  
6 Assistant United States Attorney

FILED

JAN 03 2012

USCA9/Court of Appeals

7 150 Almaden Boulevard, Suite 900  
8 San Jose, California 95113  
Telephone: (408)-535-5065  
Fax: (408)-535-5066  
E-Mail: tom.colthurst@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA, }  
14 Plaintiff, } No. CR 10-00823-DLJ  
15 v. }  
16 GUSTAVO COLIN LOPEZ, }  
17 Defendant. }

18 \_\_\_\_\_  
19 UNITED STATES OF AMERICA, }  
20 Plaintiff, } No. CR 10-00932-DLJ  
21 v. }  
22 MICHAEL LOPEZ-FLORES, }  
23 a.k.a. Gustavo Colin Lopez, }  
24 Defendant. }

25 STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME FROM  
26 JANUARY 12, 2012 TO FEBRUARY 2, 2012

27 The On the Court's motion, the next status hearing in this matter was moved from January

28 ORDER EXCLUDING TIME  
Case Nos. CR 10-00823-DLJ and CR 10-00932-DLJ

1       12, 2011, at 9:00 a.m., to February 2, 2012, at 9:00 a.m. The defendant in each of these related  
2 cases, represented by Vicki H. Young, Esq., and the government, represented by Thomas A.  
3 Colthurst, Assistant United States Attorney, request that time be excluded under the Speedy Trial  
4 Act from January 12, 2011 to February 2, 2012, to permit the parties the reasonable time  
5 necessary for effective preparation.

6

7 DATED: December 28, 2011

MELINDA HAAG  
United States Attorney

8

9

/s/  
Thomas A. Colthurst  
Assistant United States Attorney

10

11

/s/  
Vicki H. Young, Esq.  
Counsel for Defendant Gustavo Colin Lopez

12

13

/s/  
Vicki H. Young, Esq.  
Counsel for Defendant Michael Lopez-Flores

14

15

**ORDER**

16

17

Based upon the stipulation of the parties, and for good cause shown, the Court finds that failing to exclude the time between January 12, 2011 and February 2, 2012, would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between January 12, 2011 and February 2, 2012, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

18

19

Therefore, IT IS HEREBY FURTHER ORDERED that the time between January 12, 2011 and February 2, 2012, shall be excluded from computation under the Speedy Trial Act. 18

20

21

22

23

24

25

26

27

28

ORDER EXCLUDING TIME  
Case Nos. CR 10-00823-DLJ and CR 10-00932-DLJ

1  
2 IT IS SO ORDERED.  
3

4 DATED: Jan 6, 2012  
5

  
THE HONORABLE D. LOWELL JENSEN  
Senior United States District Judge

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ORDER EXCLUDING TIME  
Case Nos. CR 10-00823-DLJ and CR 10-00932-DLJ